

Office of the Prime Minister
Postboks 8001 Dep.
0030 Oslo

Oslo, 31.01.2022

Dear Prime Minister,

We write to you to express our grave concern regarding the announced sale of Telenor Myanmar to the Lebanese M1 Group. The Norwegian government are the majority owner of Telenor Group ASA – the parent company of Telenor Myanmar.

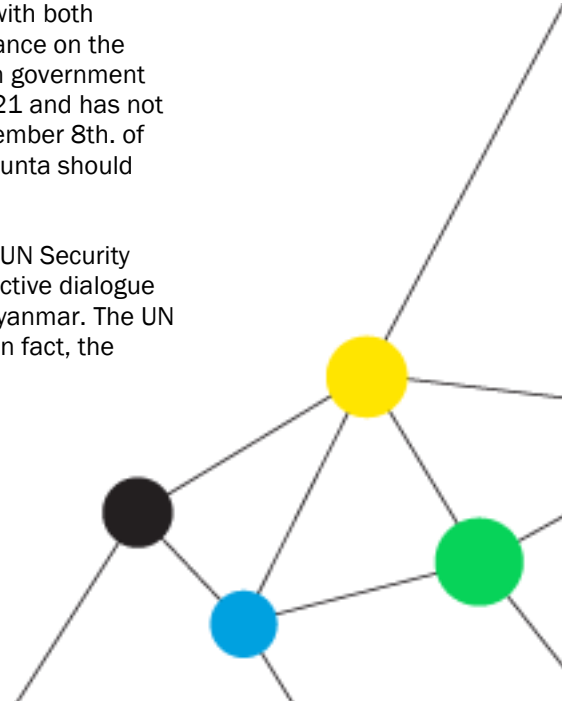
Prior to Telenor receiving a telecom license in Myanmar, you held the position Foreign Minister in Norway. Together with Telenor's CEO you travelled to Myanmar to promote Telenor and Norwegian industry, and the ties between the two countries became even closer as Telenor received a telecom license shortly after. As representatives of civil society, we know that the majority of human rights defenders, activists and members of civil society in Myanmar had chosen Telenor for its prior commitments to human rights principles and transparency, and for security reasons. For eight years, these subscribers have generated data held by Telenor.

On behalf of civil society in Myanmar, we are deeply worried about what that sale could mean for the people of Myanmar, especially those who have been customers of Telenor and now risk persecution if the sale of Telenor Myanmar is allowed to proceed. As the majority shareholder in Telenor, we expect the Norwegian State to set an example in respecting human rights and to conduct its business in a responsible manner.

Metadata are sensitive data that can be used in warfare to wind up networks, make arrests and potentially target people for assault, detention, ill-treatment, and execution for simply fighting for freedom and basic human rights. As you are aware, the illegitimate regime behind the February 2021 coup in Myanmar have proven that they are not afraid to use violence to protect their power, and they are responsible for the killings of more than 1000 people and arresting more than 8000 in the last 12 months. It is therefore highly disturbing that the proposed sale is likely to go through as a result of a collaboration between the M1 Group and the Shwe Byain Phyu group, a local conglomerate with ties to the junta.

In our opinion, the sale of Telenor Myanmar to the M1 Group is incompatible with both Norway's understanding of human rights and stand in contrast to Norway's stance on the issue under its current membership in the UN Security Council. The Norwegian government has strongly condemned the military coup that took place on February 1st. 2021 and has not recognized the junta as the rightful government of the country. As late as November 8th. of last year, the Norwegian minister of foreign affairs reiterated that the military junta should respect the will of the people and restore civilian rights.

Furthermore, Norway has both pushed for and endorsed statements from the UN Security Council on Myanmar, calling for a democratic transition and to pursue constructive dialogue and reconciliation in accordance with the will and interests of the people of Myanmar. The UN does not recognize the violent regime behind the February coup in Myanmar. In fact, the





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Myanmar ambassador to the UN has been appointed by the real and only legitimate government: the National Unity Government of Myanmar.

The people of Myanmar did not elect the junta and the democratically elected government of the country that is now in exile has clearly expressed that they do not approve of the sale. It ought to be beyond discussion that any sale – sensitive as it is in a military dictatorship – must be endorsed by the lawful government of Myanmar. As such, the sale must be held back until the rightful government of Myanmar is reinstalled.

We appreciate that Telenor finds itself in a very difficult position, and that there are no easy solutions to this issue. However, we would have expected the company to have been aware of the risk of ending up in this situation when it first opted to do business in Myanmar, knowing well the long-standing problems caused by the country's military.

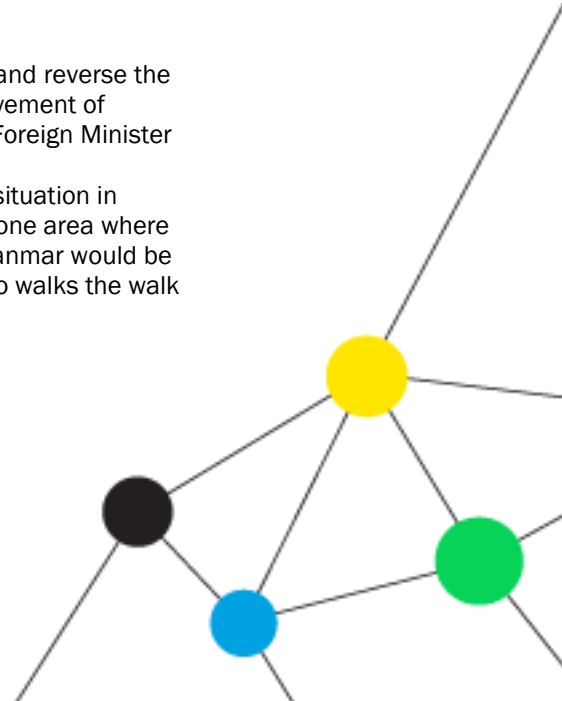
The OECD has published international guidelines on responsible business conduct ('OECD Guidelines for Multinational Enterprises') that are applicable in these situations. In 2021, on behalf of 474 Myanmar-based civil organizations, the NGO SOMO filed a complaint to the Norwegian National Contact Point (NCP) alleging that Telenor Group ASA had breached these guidelines. The Norwegian NCP accepted the complaint as bona fide and relevant to the guidelines, but the complaint is yet to be finalized. It is also arguable that, under the EU's General Data Protection Regulation (GDPR), the sale of Telenor Myanmar with subscribers' personal data is illegal.

It is our opinion that the sale of Telenor Myanmar to the M1 Group has significant geopolitical consequences. Therefore, we strongly believe that it ought to be brought directly to the Norwegian Government to be decided on, and not left to the Telenor Group ASA alone. It worries us deeply that Telenor so far has ignored the real government of Myanmar, but rather awaits acceptance of the sale from a violent and illegitimate extremist regime.

We call on the Norwegian Prime Minister to act on Norway's condemnation of the coup and ask the government to stop the sale before it is too late. We point to the government's own platform, which states that government will use active state ownership to promote common interests regarding issues such as sustainability. It should be clear that it is not sustainable to support and legitimize illegitimate regimes, and we strongly believe that it is in the common interest of the Norwegian people to avoid doing so. A lack of action from the Norwegian government will stain Norway's reputation as a long-time defender of peace and human rights globally.

As the new Prime Minister of Norway, you have the power to show leadership and reverse the damaging sale and furthermore prove to the world, and to the democratic movement of Myanmar, that Norway and Telenor are as noble as you actively promoted as Foreign Minister when endorsing Telenor operating in Myanmar less than 10 years ago.

Norway has the presidency in the UN Security Council this month, and the situation in Myanmar was highlighted by Minister of Foreign Affairs, Anniken Huitfeldt, as one area where Norway would monitor developments closely. Stopping the sale of Telenor Myanmar would be an excellent way for Norway to prove that it does not only talk the talk, but also walks the walk on human rights issues.





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Sincerely, and on behalf of 168 civil society organizations in Myanmar,

The Norwegian Forum for Development and Environment

The Centre for Research on Multinational Corporations – SOMO



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